

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

SCOTT E. CASEY, et al.,

Plaintiffs,

v.

**TOYOTA MOTOR SALES, U.S.A., INC.,
et al.,**

Defendants.

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Civil Action No. 3:11-cv-3043-O

ORDER

Before the Court is Defendants' Motion to Quash Subpoena Duces Tecum and Brief in Support (ECF No. 109), filed August 30, 2013; and Plaintiffs' Response (ECF No. 119), filed September 10, 2013. Plaintiffs served Dr. Krusz with a subpoena for his complete file, however, Dr. Krusz failed to bring his file or supporting documents with him to his deposition. Pls.' Resp. Mot. 1-2, ECF No. 119; *see also* Pls.' App. Supp. Ex. D (E-Mail Chain) 1, ECF No. 120-1 (Plaintiffs agreeing to hold Dr. Krusz's deposition at Defendants' offices so long as Dr. Krusz has his "file, literature, materials, etc. available at this deposition"). Plaintiffs again served Dr. Krusz with a subpoena, which is the subject of Defendants' instant motion. *See* Pls.' Resp. 2, ECF No. 119; *see also* Proof of Service Subpoena, ECF No. 82.

Accordingly, it is **ORDERED** that Defendants' Motion to Quash Subpoena Duces Tecum is **DENIED**. It is further **ORDERED** that both sides provide Dr. Krusz with a copy of the Court's Order and that Dr. Krusz bring the requested documents to trial or make them available to Plaintiffs before trial.

SO ORDERED on this **13th day of September, 2013.**


Reed O'Connor
UNITED STATES DISTRICT JUDGE